

Ordinance No. 13-09Passed February 2, 2009

1/23/09-gmk
(Water, Sewer & Rubbish)

Ordinance No. 13-09

An ordinance amending Section 935.08 Nonresident's Use of Water or Sanitary Sewer Service; Agreement of the Codified Ordinances of the City of North Canton and repealing any and all legislation inconsistent herewith.

WHEREAS, the City of North Canton has determined that the rules regarding the extension of water service need to be amended to reflect the change in circumstances surrounding the provision of such service to customers outside the corporate limits; and

WHEREAS, it is in the best interest of the City of North Canton to establish a policy for the reasonable expectation of annexation to the City of North Canton of areas outside the corporate limits of the City of North Canton served by the North Canton Water Treatment Plant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That Section 935.08 Nonresident's Use of Water or Sanitary Service; Agreement of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

**"935.08 NONRESIDENT'S USE OF WATER OR
SANITARY SEWER SERVICE; AGREEMENT.**

a. The Superintendent of Permits and Inspection shall refuse permission to any nonresident of the City who wishes to use the water or sewer service of the City and will not sign the standard agreement with the City to abide by the conditions of the agreement.

b. That the agreement to be signed with the City of North Canton by nonresidents as it applies to connection to the North Canton Water System be amended to provide that the nonresident agree upon request by the City of North Canton to annex the nonresident's property to the City of North Canton; that the nonresident appoints the Mayor of the City of North Canton as irrevocable attorney in fact to sign an annexation petition upon behalf of the nonresident; and that the nonresident sign a document in recordable form making these provisions a covenant running with the land enforceable against the successors and assigns of the nonresident.

c. That any nonresident presently receiving water service from the City shall, upon notice from the City, immediately comply with the provisions in the nonresident agreement. Failure to comply with said agreement may result in the water service being terminated sixty (60) days from the date of the notice.

d. That any nonresident who refuses annexation to the City when requested by City shall be barred from connecting to City's water service."

Section 2. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed: 2/2/09


MAYOR

SIGNED: 2/02, 2009

ATTEST:


CLERK OF COUNCIL

G:\Legislation 2009\13-09 Nonresident's Water Agreement.doc